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REMARKS

This response is intended as a full and complete response to the final Office Action mailed June 13, 2006. The Examiner noted that claims 1-14 and 19-25 are pending and stand rejected. By this response, all claims continue unamended.

In view of the following discussion, the Applicant submits that none of the claims now pending in the application are obvious under the provisions of 35 U.S.C. §103. Therefore, Applicant believes that this application is now in condition for allowance.

It is to be understood that Applicant does not acquiesce to the Examiner's characterizations of the art of record or to Applicant's subject matter recited in the pending claims. Further, Applicant is not acquiescing to the Examiner's statements as to the applicability of the art of record to the pending claims by filing the instant response.

REJECTIONS

35 U.S.C. §102

Claims 1-5 and 25

The Examiner has rejected claims 1-5 and 25 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Application 2002/0010925A1 for Kikinis ("Kikinis"). Applicant respectfully traverses the rejection.

Independent claim 1 recites (and independent claims 8, 19, and 23 recite similar relevant elements):

1. A method, comprising:
providing at least one program listing for browsing and for selecting a given program listing, the program listing presented on a personal digital assistant (PDA) through the use of a local electronic program guide (EPG) stored on the PDA;
receiving, by the PDA, a reminder marking for a program that is not currently being aired; and
sending, the reminder marking to a set top terminal (STT) that stores a remote EPG, during synchronization between the local EPG on the PDA and the remote EPG on the STT, the synchronization being performed only after it is determined that the PDA is in direct communication with the STT.

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Kikinis fails to teach every element of claim 1. Kikinis fails to teach sending a reminder marking to the STT that stores a remote EPG during synchronization between the local EPG on the PDA and the remote EPG on the STT, as claimed. By contrast, Kikinis merely uses an input device 160 to interact with the video display 105 in the same way that a conventional remote control 120 does. (See Kikinis, Figure 1, page 2, paragraph [0030].) Kikinis displays the same EPG on the display device 158 of the computing device 150 that is displayed on video display 105, i.e., the television. There is no local EPG on the PDA and remote EPG on the STT, as claimed. (See Kikinis, Figure 1, page 2, paragraphs [0029]-[0034].) Instead, there is only one EPG that is merely displayed in two places. Thus, there is no need to do any synchronizing, as claimed. In the claimed invention, the reminder is recorded in the local EPG running on the PDA and synchronized with the remote EPG running on the STT when communication between the two is established.

Examiner's Response to Applicant's Arguments

The Examiner seems to contend that the step of "synchronizing" as claimed herein is somehow inherent to the Kikinis reference. This is not correct. There is no teaching of such synchronizing and, importantly, there is no need for such synchronizing. Since there is no *necessity* for synchronizing in Kikinis, there can be no finding of inherency for synchronizing.

Kikinis allows control of the only EPG (the EPG within the STB 110). That is, the EPG within the STB 110 can be controlled by a standard remote control device or by a computing device (e.g., a PDA). There is no teaching of multiple instances of the EPG database in Kikinis, only that one or more devices may modify the EPG database. Even if such modification occurs at the same time, there is still no synchronizing of databases since there is only one database being modified.

In sharp contrast to the Kikinis arrangement, the claimed invention allows for manipulation of a "local EPG" database at a PDA prior to the local EPG database being synchronized with a "remote EPG" database at the STT. Advantageously, this allows independent manipulation of the EPG until, for example, the user determines that the

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presently selected local EPG commands are appropriate (at which time they are synchronized with the remote EPG database).

The Examiner refers to paragraphs 34-40 as disclosing the claimed invention. Applicants disagree. These paragraphs fairly describe that various devices may control a STB EPG. Paragraph 40 provides that a user can control other EPGs, such as "at a friend's house or a hotel." These examples add nothing new in that each example provides for the manipulation of an EPG database at a set top box by a computing device rather than a remote control. There is no local (to the computing device) EPG database. There is no synchronization of local and remote EPG databases (since there is only one database).

As such, Applicant submits that independent claims 1, 8, 19, and 23 are not anticipated by Kikinis under 35 U.S.C. §102. Furthermore, claims 2-7, 9-14, 20-22, and 24-25 depend from independent claims 1, 8, 19, and 23, respectively, and further define or recite additional limitations thereof. As such and at least for the same reasons as discussed above, Applicant submits that these dependent claims are also not anticipated and patentable over Kikinis under 35 U.S.C. §102. Therefore, Applicant respectfully requests that the rejection be withdrawn.

35 U.S.C. §103

Claims 8, 9, 14, 19, 21, and 23

The Examiner has rejected claims 8, 9, 14, 19, 21 and 23 under 35 U.S.C. §103(a) as being unpatentable over Kikinis. Applicant respectfully traverses the rejection.

Independent claim 8 recites (and independent claims 8, 19, and 23 recite similar relevant elements):

"A system, comprising:
a local electronic program guide (EPG) for presenting a plurality of program listings and for receiving a reminder marking; and
a mobile computing device having local storage for storing the local EPG, the mobile computing device for receiving the program listings over a network from a program listing server;

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wherein the reminder marking is sent from the mobile computing device to a set top terminal (STT) that stores a remote EPG, during synchronization between the local EPG and the remote EPG, the synchronization being performed only after it is determined that the mobile computing device is in direct communication with the STT."

The Examiner is respectfully directed to the above arguments with respect to Kikinis, especially the lack of local and remote EPG databases.

Applicant agrees that it is known to update the basic EPG database from a server (i.e., the basic program time/channel information), but does not necessarily agree that it is known to update modifications to those portions of an EPG database caused by user interaction. As such, Applicant respectfully requests that the Examiner provide support for the Official Notice discussed in the Office Action.

Irrespective of the Official Notice, however, it is noted that Kikinis still fails to teach or suggest at least sending a reminder marking to the STT that stores a remote EPG during synchronization between the local EPG on the PDA and the remote EPG on the STT, as claimed.

For at least the reasons given above, claims 8, 9, 14, 21, and 23 are patentable over Kikinis under §103. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Claims 6, 7, 10, 11, 20, 22, and 24

The Examiner has rejected claims 6, 7, 10, 11, 20, 22 and 24 under 35 U.S.C. §103(a) as being unpatentable over Kikinis in view of U.S. Publication 2002/0133821 for Shteyn ("Shteyn"). Applicant respectfully traverses the rejection.

The Examiner is respectfully directed to the above arguments with respect to Kikinis.

Kikinis fails to teach or suggest at least sending a reminder marking to the STT that stores a remote EPG during synchronization between the local EPG on the PDA and the remote EPG on the STT, as claimed.

Applicant agrees that generating calendar alerts on a PDA is known. However, Applicant is not aware of EPG alerts being so generated at the effective date of this

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patent application. As such, Applicant respectfully requests that the Examiner provide support for the Official Notice discussed in the Office Action. Furthermore, the calendar alert of a PDA is driven by its local database, while the EPG reminder of the claimed invention is driven by the remote EPG database, as synchronized with the remote EPG database (not the PDA calendar database).

Because Shteyn fails to bridge the gap between Kikinis and the claimed invention, claims 6, 7, 10, 11, 20, 22 and 24 are patentable over the combination of Kikinis and Shteyn under §103. Therefore, Applicant respectfully requests that the rejection be withdrawn.

Claims 12 and 13

The Examiner has rejected claims 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over Kikinis in view of U.S. Patent 5,699,107 to Lawler ("Lawler"). Applicant respectfully traverses the rejection.

The Examiner is respectfully directed to the above arguments with respect to Kikinis, especially the lack of local and remote EPG databases.

Kikinis fails to teach or suggest at least sending a reminder marking to the STT that stores a remote EPG during synchronization between the local EPG on the PDA and the remote EPG on the STT, as claimed.

Because Lawler fails to bridge the gap between Kikinis and the claimed invention, claims 12 and 13 are patentable over the combination of Kikinis and Lawler under §103. Therefore, Applicant respectfully requests that the rejection be withdrawn.

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CONCLUSION

Thus, Applicant submits that none of the claims presently in the application are anticipated or obvious under the respective provisions of 35 U.S.C. §102 and §103. Accordingly, both reconsideration of this application and its swift passage to issue are earnestly solicited.

If, however, the Examiner believes that there are any unresolved issues requiring adverse final action in any of the claims now pending in the application, it is requested that the Examiner telephone Eamon J. Wall at (732) 530-9404 so that appropriate arrangements can be made for resolving such issues as expeditiously as possible.

Respectfully submitted,

Dated: 8/14/06



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